

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GEORGE S. BALIS,

Petitioner,

-v.-

UNITED STATES OF AMERICA

Respondent.

08 Civ. 5637 (GEL)  
03 Cr. 1028 (GEL)

**ORDER**

GERARD E. LYNCH, District Judge:

The Court having concluded that the petition should not be summarily dismissed pursuant to Rule 4 of the Rules Governing Section 2255 Proceedings for the United States District Courts, it is hereby

ORDERED that the respondent file an answer to the petition or other pleading in response thereto no later than November 3, 2008.

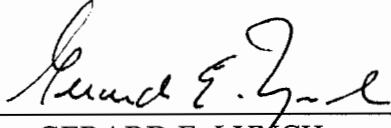
IT IS FURTHER ORDERED that Michael F. Bachner, Esq., file an affirmation responding to the factual allegations in the petition relating to alleged ineffective assistance of counsel, no later than October 17, 2008.

IT IS FURTHER ORDERED that the Clerk of the Court serve copies of this Order and of the petition by certified mail upon the United States Attorney for the Southern District of New York, and upon Michael F. Bachner, Esq., Bachner & Associates, P.C., 26 Broadway, Suite 2310, New York, N.Y., 10004.

IT IS FURTHER ORDERED that the petitioner shall have thirty days from the date on which he is served with respondent's answer to file a response. The petition shall be considered fully submitted as of that date.

SO ORDERED.

Dated: New York, New York  
August 28, 2008

  
GERARD E. LYNCH  
United States District Judge